

NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>General Administration</u> STATEMENT NUMBER <u>1.09</u>
SUBJECT: <b>RESEARCH PROCEDURES/USE OF RESEARCH FINDINGS</b>	EFFECTIVE DATE <u>07/01/03</u> REVIEW DATE <u>12/15/04</u> SUPERCEDES PPD# <u>1.9 &amp; 1.47</u> DATED <u>12/15/01</u> <u>&amp; 5/01/02</u>
ISSUING OFFICER:   <u>Phil Stanley, Commissioner</u>	DIRECTOR'S INITIALS _____  APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

- I. PURPOSE:  
To establish guidelines for the approval/disapproval of outside research projects and the use and dissemination of research findings. To define recidivism for the purpose of evaluating offenders and agency programs.
- II. APPLICABILITY:  
All employees and persons under supervision.
- III. POLICY:  
It is the policy of the Department of Corrections for the Commissioner/designee to review and approve all research proposals/designs before their implementation. Information will be gathered and provided to approved agencies/personnel regarding the operation and overall performance of the Department and its programs. All Wardens/Division Directors shall encourage, support and use relevant research conducted by outside professional insuring the privacy of all research participants. Adult offenders are prohibited from engaging in medical or pharmaceutical testing for experimental or research purposes. Adult offenders may voluntarily participate in non-pharmaceutical, non-medical or non-cosmetic research projects after approval of the researcher's Institutional Review Board and the review and approval of the research proposal by the Administrator of Research.
- IV. DEFINITIONS:
- A. OUTSIDE RESEARCH: Studies conducted by individuals, research firms or other agencies that are not employees of the Department.
  - B. AGENCY RESEARCH: Studies conducted by employees of the agency usually by or in conjunction with the Bureau of Information Services.
  - C. RECIDIVISM is defined as:
    - 1. A probationer/parolee who has been convicted of a new offense while under supervision.
    - 2. A probationer/parolee whose probation/parole has been revoked by the issuing authority.
    - 3. A former probationer/parolee who, after conviction for a subsequent offense, is placed under the supervision and control (prison, probation, parole) of the Department.
- V. PROCEDURE:
- A. All requests for approval of research projects will be forwarded to the Administrator of Research for consideration.

- B. The Administrator of Research, in consultation with the Commissioner will determine whether or not a proposed project:
1. has legitimate research value;
  2. is based on data that is available or obtainable without placing an undue burden on the agency;
  3. is grounded in sound research principles;
  4. is objective rather than subjective;
  5. is data-based rather than anecdotally based;
  6. will add knowledge to the particular field;
  7. is scientifically motivated rather than curiosity motivated;
  8. will be conducted by individuals not personally connected with the individual offenders or staff involved in the research project;
  9. will be conducted without a bias as to the outcome;
  10. can be conducted without undue disruption to the department or its employees
  11. does not rely upon unavailable, protected or unprivileged data;
  12. is rational, realistic and pragmatic.
- C. If the foregoing are essentially satisfied, the Administrator of Research may approve the project if no departmental assets are to be used. If the project requires departmental assets, the Administrator of Research will consult with the affected Division Director or Warden prior to making a recommendation to the Commissioner.
- D. When a project is approved, a Memorandum of Understanding will be developed and entered into by all parties. This agreement will delineate the role and responsibilities of all parties, authorize appropriate access and specify source and use of data. In addition, the researcher(s) will sign and submit a statement of assurances as part of the research agreement with the department (see attachment 1).
- E. As a condition of approval for all projects, the researcher will agree to allow the department, the Commissioner and the appropriate Warden/Division Director not less than 30 days to review a draft of the final research findings prior to their submission for publication or public presentation.
- F. No academic research projects will be approved without written certification that the project has been approved by that institution's Institutional Review Board.
- G. No legal or lawyer projects will be approved without certification that the data will not be used in a law suit in which the State is an adversary, unless the project is discussed with the Office of the Attorney General and no objection is raised.
- H. A distinction should be made between system review and program review. In a system review, it is the overall performance of the department, division or bureau in achieving its goals and objectives, which is the object of measurement. In a program review, effectiveness of a particular program is the measurement. A review of performance is to be conducted every six months.

#### REFERENCES:

Standards for the Administration of Correctional Agencies  
Second Edition, Standards

**2-CO-1F-09 thru 1F-10; 2-CO-F-12 thru 1F-15**

Standards for Adult Correctional Institutions  
Fourth Edition. Standards

**4-4109; 4-4111; 4-4113**

Standards for Adult Probation and Parole Field Services  
Third Edition. Standards

**3-3113 thru 3-3116**

Standards for Adult Community Residential Services  
Fourth Edition. Standards

**4-ACRS-7D-12**

#### Other

**Code of Federal Regulations; Title 45; Part 46; Protection of Human Rights**

VENO/pf

Attachment



Attachment 1

STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF CORRECTIONS  
 OFFICE OF THE COMMISSIONER  
 PO Box 1806  
 Concord, NH 03302-1806  
 603-271-5600 Fax 603-271-5643  
 TDD Access 1-800-735-2964

Phil Stanley  
 Commissioner

THIS FORM MUST BE SIGNED AND RETURNED TO THE DIRECTOR OF  
 RESEARCH AND PLANNING PRIOR TO THE START OF ANY RESEARCH PROJECT.

- I. ALL AGREEMENTS REGARDING ACCESS MUST BE IN WRITING.
- II. IN ACCORDANCE WITH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURES:
  - A. I AGREE TO ABIDE BY THE DEPARTMENT OF CORRECTIONS POLICIES ON ACCESS TO OFFENDER INFORMATION.
  - B. I AGREE TO REQUEST AND PRESERVE THE CONFIDENTIALITY OF STAFF AND OFFENDERS THROUGHOUT AND AFTER THIS PROJECT, AND TO ADHERE TO TITLE 45, PART 46: PROTECTION OF HUMAN SUBJECTS, CODE OF FEDERAL REGULATIONS.
  - C. I AGREE TO PROVIDE THE DEPARTMENT OF CORRECTIONS WITH A DRAFT COPY OF THE RESEARCH FINDINGS FOR PURPOSES OF REVIEW AND COMMENT NOT LESS THAN 30 DAYS PRIOR TO THE PUBLICATION OR SUBMISSION OF FINDINGS TO ANY OUTSIDE ENTITY, PUBLIC OR PRIVATE.
  - D. I UNDERSTAND ALL OFFENDER PARTICIPATION IN RESEARCH ACTIVITIES IS VOLUNTARY.
  - E. I UNDERSTAND THE DEPARTMENT OF CORRECTIONS PROHIBITS OFFENDERS FROM PARTICIPATING IN MEDICAL, PHARMACEUTICAL, OR COSMETIC TESTING FOR EXPERIMENTAL OR RESEARCH PURPOSES.
  - F. I AGREE TO SUBMIT STATUS REPORTS ON THE PROGRESS OF RESEARCH ACTIVITIES, IN A TIMELY FASHION, AS MAY REASONABLY BE REQUESTED BY THE DEPARTMENT OF CORRECTIONS.
- III. I UNDERSTAND THAT VIOLATIONS OF ANY OF THE ABOVE PROCEDURES ON MY PART, OR THE PART OF MY STAFF, COULD RESULT IN ADVERSE ACTION.

TITLE OF RESEARCH PROJECT \_\_\_\_\_

INSTITUTIONAL AFFILIATION \_\_\_\_\_

PROJECT START AND END DATES \_\_\_\_\_

DATE \_\_\_\_\_ RESEARCHER \_\_\_\_\_

DATE \_\_\_\_\_ COMMISSIONER \_\_\_\_\_

DATE \_\_\_\_\_ ADMIN OF RESEARCH \_\_\_\_\_

12/15/01